

**Federal Defenders
OF NEW YORK, INC.**

Southern District
300 Quarropas Street, Room 260
White Plains, N.Y. 10601-4150
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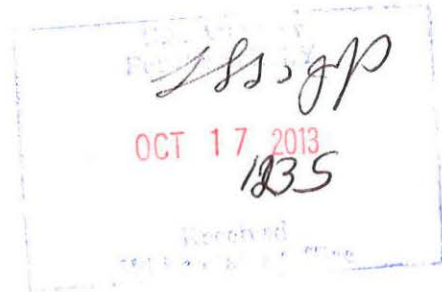
David E. Patton
Executive Director
and Attorney-in-Chief

Susanne Brody
Attorney-in-Charge
White Plains

October 17, 2013

BY HAND

The Honorable Lisa Margaret Smith
United States Magistrate Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601



**Re: *United States v. Cannella*, 13cr0641-CS
Request to Exonerate the Bond**

Dear Judge Smith:

This letter is written on behalf of Stephen Cannella and respectfully seeks an order to exonerate the bond in this matter and to remand him back into custody of the United States Marshals. Mr. Cannella entered a guilty plea to a violation of 18 U.S.C. § 2252A(a)(5)(B) on September 10, 2013. At that time, he was out of custody on conditions of pretrial release imposed on December 21, 2012. A pending state proceeding, however, has paralleled the above captioned case and involves an allegation that Mr. Cannella violated the terms of his state probation. The state's allegation is premised on the conduct in this case. On October 8, 2013, the state court held a status hearing. After learning that Mr. Cannella pleaded guilty, the state court ordered him remanded into state custody and rejected a request for release on bond. Accordingly, Mr. Cannella seeks to be remanded back into custody of the United States Marshals so that he gains federal credit for the time he is now serving.

Thank you in advance for your consideration of this request.

Respectfully submitted,

Jason I. Ser

cc: Ilan Graff, A.U.S.A.

Granted.
SO ORDERED:

Hon. Lisa Margaret Smith
U.S.M.J.